

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF PUERTO RICO**

NORTH AMERICAN BOXING \*  
ORGANIZATION INTERCONTINENTAL \*  
INC. \*

Plaintiff \*

v. \*

NORTH AMERICAN BOXING \*  
ORGANIZATION, INC., et al. \*

Defendants \*

\*\*\*\*\*

NORTH AMERICAN BOXING \*  
ORGANIZATION, INC., et al. \*

Counter-Plaintiffs \*

v. \*

NORTH AMERICAN BOXING \*  
ORGANIZATION INTERCONTINENTAL \*  
INC. \*

Counter-Defendant \*

v. \*

JOSE BERRIOS \*

Third-Party Defendant \*

\*\*\*\*\*

**Civil No. 98-1766(SEC)**

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**ORDER TO SHOW CAUSE**

On April 28, 2000 defendant/counter-plaintiff North American Boxing Organization, Inc. filed a motion for summary judgment pursuant to Fed.R.Civ.P 56(b). (**Docket # 62**). Local Rule 311.5 establishes a 10-day period to oppose any motion. As of today, however, Plaintiff has failed to oppose Defendant's motion. Moreover, Plaintiff has not requested an extension of time to do so.

Furthermore, the Court notes that Plaintiff's failure to oppose the motion for summary judgment is not an isolated oversight. To the contrary, it is yet another demonstration of Plaintiff's indisposition to prosecute this case. As evidence of Plaintiff's negligence, the Court relies of the following:

1. On December 16, 1999, Defendant filed a motion for entry of default against Plaintiff

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for failure to answer the alleged counter-claims. (**Docket # 48**). On December 21, 2000, the Court ordered Plaintiff to show cause why the motion for default judgment should not be granted. (**Docket # 49**). However, Plaintiff failed to respond to the Court's order. Therefore, on April 26, 2000, a judgement of default was entered against Plaintiff (**Docket # 60**).

2. On January 21, 2000, Defendant sent Plaintiff a request for admissions pursuant to Fed.R.Civ.P. 36. Once again, however, Plaintiff disregarded the request.
3. On May 16, 2000, Plaintiff's attorney of record, Rafael J. Vazquez Gonzalez, filed a motion to withdraw as counsel. (**Docket # 53**). On April 26, 2000, the Court granted Plaintiff 30 days to retain new counsel. (**Docket # 60**). Plaintiff failed to do so. On June 21, 2000, the Court granted attorney Vazquez's motion to withdraw and granted Plaintiff an additional twenty days to retain new counsel. (**Docket # 69**). As of today, Plaintiff has not engaged new counsel.

In light of the foregoing, Plaintiff is hereby **ORDERED TO SHOW CAUSE** within **ten (10) days** of the entry date of this order why the Court should not sua sponte, dismiss this case with prejudice.

**SO ORDERED.**

In San Juan, Puerto Rico, this 19<sup>TH</sup> day of October, 2000.

  
SALVADOR E. CASELLAS  
United States District Judge